



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/997,706	12/23/1997	SEISHI EJIRI		1646

5514 7590 01/15/2004

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

POKRZYWA, JOSEPH R

ART UNIT PAPER NUMBER

2622

DATE MAILED: 01/15/2004

37

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

08/997,706

Applicant(s)

EJIRI, SEISHI

Examiner

Joseph R. Pokrzywa

Art Unit

2622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: of the reasons indicated in the attached Office action.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

DETAILED ACTION

Advisory Action

1. The period for reply continues to run 3 MONTHS from the date of the final rejection. Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a) accompanied by the appropriate fee. The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. A reply within the meaning of 37 CFR 1.113 or a request for a continued examination (RCE) in compliance with 37 CFR 1.114 must be timely filed to avoid abandonment of this application.

Response to Arguments

2. As indicated in the Office action dated 9/23/03, **claim 17** is allowed.

3. The request for reconsideration dated 12/17/03, with respect to independent **claims 1, 7, 18, 19, 21-24, 27, and 28**, has been entered and considered but does not overcome the rejection because of the following reasons.

In response to applicant's arguments regarding the rejection of **claim 1**, which was cited in the Office action dated 9/23/03, as being anticipated by Ikeda *et al.* (U.S. Patent Number 5,720,014), whereby applicant argues on pages 2 and 3 that Ikeda fails to teach of notifying a data processing terminal upon completion of the document transmission performed by the data transmitter, where the notification includes transmission result information and the document transmitted by the data transmitter. The examiner notes that the claim is not clear and does not

Art Unit: 2622

specifically require a physical notification which includes both transmission result information and the transmitted document. Currently *claim 1* requires “a notification unit, adapted to notify a data processing terminal, via said connector, wherein notification includes transmission result information, representing a document transmission performed by said data transmitter based on the designation inputted by the operation input unit, and the document transmitted by said data transmitter”. Ikeda teaches of two separate notifying operations that are included in the notification, each of which occur upon completion of document transmission. While this is different than the invention disclosed in the current specification, and as argued by the applicant, Ikeda can be interpreted to anticipate the claims, as they are currently worded, since notification includes (1) transmission result information ..., and (2) the document transmitted by said data transmitter. Specifically, Ikeda teaches of a notification unit (CPU 101), adapted to notify a data processing terminal (information processing terminal 114), via the connector (I/F controller 113), wherein notification includes transmission result information, representing a document transmission performed by the data transmitter based on the designation inputted by the operation input unit (with “notification” including the communication result information, as read in column 40, lines 7 through 26), and the document transmitted by the data transmitter (with “notification” also including the transmitted document, as read in column 41, lines 38 through 52). Further, Ikeda teaches that the notification unit (CPU 101) notifies the data processing terminal of the transmission result information (being the communication result information) related to the document transmission upon completion of the document transmission performed by the data transmitter (seen in Fig. 7, whereby step S7-013 occurs upon completion of document transmission in step S7-006).

Art Unit: 2622

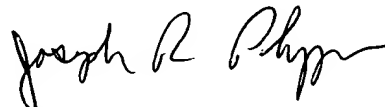
4. Therefore, the rejection of independent **claim 1**, as currently worded, cited as being anticipated by Ikeda *et al.*, is maintained. Further, for the same reasons discussed above, the rejection of independent **claims 7, 18, 19, 21-24, 27, and 28**, as well as each of the corresponding dependent claims, also cited as being anticipated by Ikeda *et al.*, is maintained.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Joseph R. Pokrzywa
Examiner
Art Unit 2622

jrj

EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600